

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, "SUBDIVISIONS" OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY ADDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE, DECLARING A PENALTY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, there are certain areas within the City of College Station that are served by aging infrastructure and facilities that are not designed to accommodate increases in the area density or handle additional development;

WHEREAS, the existing codes and regulations related to subdivision, platting and replating do not adequately protect these areas from incompatible increases in density; and

WHEREAS, the City Council desires to ensure that development and redevelopment within older subdivisions does not exceed the capacity of existing infrastructure; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1 Chapter 9, "Subdivisions", of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 8th day of February, 2001.

APPROVED:

LYNN McILHANEY, Mayor

ATTEST:

CONNIE HOOKS, City Secretary

APPROVED:

Harry Cayell

City Attorney

EXHIBIT "A"

That Chapter 9, "Subdivisions", of the Code of Ordinances of the City of College Station is hereby amended by adding a new Section 18 to read as follows:

**SECTION 18: PLATTING AND REPLATTING WITHIN
OLDER RESIDENTIAL SUBDIVISIONS**

18-A. In addition to the other provisions of this ordinance, no application for plat, replat, vacating and resubdividing plat or other plat intended to provide for the resubdivision of an existing lot or lots in a residential subdivision created prior to July 15, 1970, may be considered for approval unless:

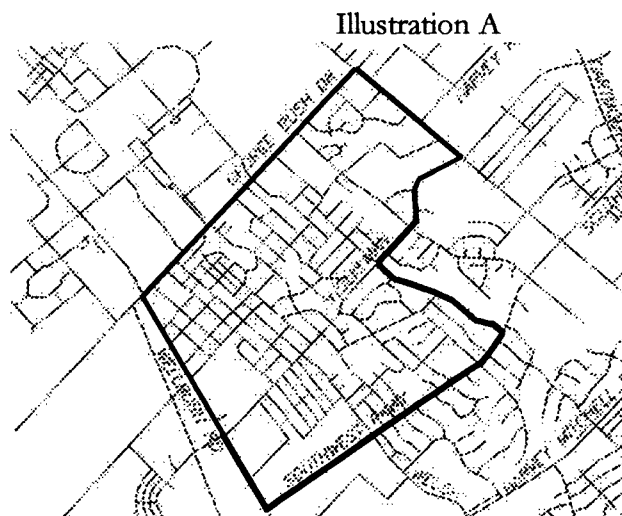
18-A.1 The plat does not create an additional lot or building plot.

18-A.2 A plat which does create an additional lot or building plot must meet or exceed the average width of the lots along the street frontage, for all lots in the block and contain at least 8,500 square feet of space for each dwelling unit.

For the purpose of this section, a lot shall be defined to include the lot, lots and/or portions of lots that have been combined and used as a residential plot, as of the effective date of this ordinance.

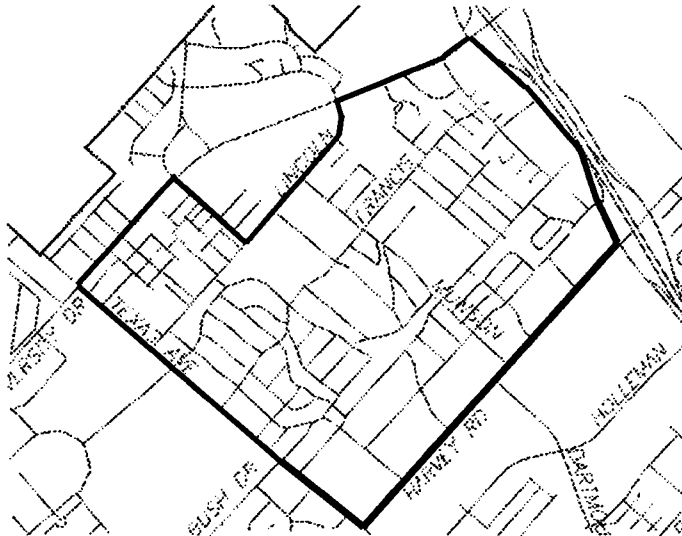
18-A.3 This moratorium on an application for a change to a plat shall apply to the following areas:

Area A- An area bounded by Texas Avenue, Holleman Drive, Glade Avenue, Southwest Parkway, Wellborn Road and George Bush Drive and reflected in Illustration A below.



Area B- An area bounded by Texas Avenue, University Drive, Tarrow Street, Lincoln Avenue, University Drive, the Earl Rudder Freeway and Harvey Road and reflected in Illustration B below.

Illustration B



18-B. Expiration of Section 18

This section and subsections shall expire on January 1, 2002.